

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JEFFREY NEYLON,

Plaintiff,

vs.

BNSF RAILWAY CO.,

Defendant.

4:17CV3153

ORDER

This matter is before the Court on its own motion.

The pretrial conference in this case is scheduled for January 4, 2019, and the trial is scheduled to commence the week of January 28, 2019.

On December 6, 2018, Plaintiff filed a Motion for Sanctions ([Filing No. 103](#)), requesting that Defendant not be allowed to use certain evidence “to win summary judgment.” The briefing on Plaintiff’s Motion for Sanctions is not complete and, thus, the motion is not ripe for disposition. Because the undersigned’s ruling on the Motion for Sanctions will affect the evidence that may be considered in summary judgment proceedings, Senior District Court Judge Richard Kopf entered a Memorandum and Order yesterday, denying Defendant’s Motion for Summary Judgment, in part, without prejudice to reassertion following a ruling on the Motion for Sanctions. ([Filing No. 110.](#))

Given the status of motion practice, the pretrial conference and trial cannot go forward as scheduled.

Accordingly,

IT IS ORDERED that these proceedings are stayed pending a ruling on Plaintiff’s Motion for Sanctions. ([Filing No. 103.](#)) The pretrial conference and trial are cancelled and will be rescheduled upon further order of the Court.

Dated this 13th day of December, 2018.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge